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Docket No.: 1002.P002 US

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April 5, 2004

Mail Stop Non-Fee Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-14450

Inventor(s): Stephen D. Walker; John E. Repine; Charles W. Henry; Harry L. Valenta, Jr.; Peter E. Nelson; R. Dale Zellers
Assignee: NOSTIX LLC
Title: NONINVASIVE OPTICAL SENSOR FOR MEASURING NEAR INFRARED LIGHT ABSORBING ANALYTES
Appln No.: 09/917,414
Filing Date: July 27, 2001
Examiner: Robinson, Daniel Leon
Art Unit: 3742

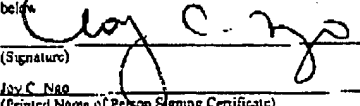
Enclosed herewith for filing is as follows:

1. This Transmittal Letter (in duplicate)
2. Response to Non-Final Office Action Dated January 26, 2004 (13 pages)
3. Declaration Under 37 CFR 1.132 (Stephen D. Walker) (2 pages)
4. Declaration Under 37 CFR 1.132 (John E. Repine; Charles W. Henry; Harry L. Valenta, Jr.; Peter E. Nelson; R. Dale Zellers) (3 pages)

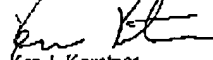
☒ No additional fee is required.

☐ The fee has been calculated as shown below

I hereby certify that this correspondence is being furnished transmittal to the USPTO, Central Number as (703) 872-9305 on the date shown below.


(Signature)
Jay C. Ngo
(Printed Name of Person Signing Certificate)
April 5, 2004
(Date)

Respectfully submitted,


Ken J. Koestner
Attorney for Applicant(s)
Reg. No. 33,004

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Applicant(s): Stephen D. Walker; John E. Repine; Charles W. Henry;
Harry L. Valenta, Jr.; Peter E. Nelson; R. Dale Zellers

Assignee: NOSTIX LLC

Title: Noninvasive Optical Sensor for Measuring Near Infrared Light
Absorbing Analytes

Serial No.: 09/917,414 Filing Date: July 27, 2001

Examiner: Robinson, Daniel Leon Group Art Unit: 3742

Docket No.: 1002.P002 US SMM No.: M-11491 US

Irvine, California
April 5, 2004

MAIL STOP NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL OFFICE ACTION
DATED JANUARY 26, 2004

Dear Sir:

This paper is responsive to the Office Action dated January 26, 2004, having a shortened statutory period expiring April 26, 2004. Further examination and reconsideration are respectfully requested in view of the amendments and remarks set forth below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.

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Serial No. 09/917,414

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